

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 05-171M
)	
WYATT MELIUS)	

MOTION TO DISMISS CRIMINAL COMPLAINT

AND NOW comes the United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Tina O. Miller, Assistant United States Attorney for said district, and respectfully moves the Court to dismiss the complaint filed at Mag. No. 05-171M, for the reason that Defendant has agreed to enter a guilty plea in state court to charges of corruption of a minor, in lieu of the instant federal charges. Defendant has no objection to the dismissal of the complaint. The parties agree that, although charges are to be dismissed pursuant to this agreement, Wyatt Melius is not a prevailing party for the purpose of seeking attorney fees or other litigation expenses under Pub. L. No. 105-119, §617 (Nov. 26, 1997) (known as the Hyde Amendment). Wyatt Melius waives any right to recover attorney fees or other litigation expenses under the Hyde Amendment and agrees to entry of an Order to that effect.

MARY BETH BUCHANAN
United States Attorney

/s/ Tina O. Miller

TINA O. MILLER
Assistant U.S. Attorney
PA ID No. 71101

WITH CONSENT OF:

/s/ Michael Novara

MICHAEL NOVARA, ESQ.